

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MARCUS OAKES,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-15-1298-F
)	
OKLAHOMA UNIVERSITY)	
MEDICAL CENTER, et al.,)	
)	
Defendants.)	

ORDER

United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation on February 2, 2016 recommending that plaintiff's action be summarily dismissed, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for failure to state a claim upon which relief may be granted. Magistrate Judge Mitchell concluded that it was apparent from the face of the complaint that plaintiff's claims were barred by the statute of limitations.

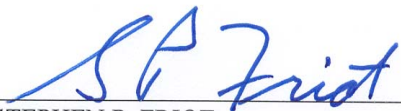
Presently before the court is plaintiff's objections to the Report and Recommendation. In accordance with 28 U.S.C. § 636(b)(1), the court has conducted a de novo review of the matter. Having done so, the court agrees with the analysis and recommendation of Magistrate Judge Mitchell as to the § 1983 claims. The court finds plaintiff's objections to be without merit. The court therefore accepts, adopts and affirms the Report and Recommendation with respect to the § 1983 claims.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Suzanne Mitchell on February 2, 2016 (doc. no. 12) is **ACCEPTED, ADOPTED and AFFIRMED.**

Plaintiff's 42 U.S.C. § 1983 claims are **DISMISSED**, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for failure to state a claim upon which relief may be granted.

To the extent plaintiff alleges state law claims, the court declines to exercise supplemental jurisdiction over the claims and the claims are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c).

DATED March 22, 2016.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE